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UNITED STATES DISTRICT COURT  
 SOUTHERN DISTRICT OF NEW YORK

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 UMB BANK, N.A., as Trustee,

Plaintiff,

- against -

SANOFI,

Defendant.  
 -----X

15-cv-8725 (GBD)(RWL)

**ORDER**

**ROBERT W. LEHRBURGER, United States Magistrate Judge.**

Defendant Sanofi requests leave to serve document subpoenas on two related non-parties (Stonehill Master Fund Limited and Stonehill Institutional Partners L.P.) holding investment rights (CVRs), the value of which could be significantly affected by the outcome of this action. The Court previously quashed 26 similar subpoenas that Sanofi served on non-party CVR holders but left open the opportunity for Sanofi to renew should later-acquired information warrant such discovery. (ECF 160.) Sanofi now seeks discovery from only the two Stonehill entities, arguing that recent deposition testimony reveals Stonehill's intimate involvement in directing this litigation on behalf of UMB.

The requested discovery likely is of limited relevance given the claims at issue and the information already disclosed by UMB. That said, the discovery sought does not pose a substantial burden, and the discovery so far obtained directly from UMB has been meager in comparison to the vast discovery produced by Sanofi. Granted, that largely is a result of the nature of the breach-of-contract claims against Sanofi. But taking into account all relevant factors, the Court finds the requested discovery proportional to the

needs of the case. Accordingly, after due consideration of the parties' submissions (see ECF 216-219) and all prior proceedings, the Court orders as follows:

Sanofi may proceed with the limited subpoenas directed to the two Stonehill entities.

SO ORDERED.



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ROBERT W. LEHRBURGER  
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York  
October 22, 2018

Copies transmitted to all counsel of record.